

AO 106A (08/18) Application for a Warrant by Telephone or Other Reliable Electronic Means

UNITED STATES DISTRICT COURT

for the

Middle District of Pennsylvania

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)Michael Brett Golden, male with date of birth of March
04, 1989 and FBI Number 236364LD3

Case No. 1:24-

MC-0422

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment "A"

located in the Middle District of Pennsylvania, there is now concealed (identify the person or describe the property to be seized):

See Attachment "B"

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
Title 21 U.S.C. §841(a)	Possession with intent to distribute a controlled substance.
Title 18 U.S.C. §922(g)	Possession of a firearm by a prohibited person
Title 18 U.S.C. §924(c)	Possession of a firearm in furtherance of a drug trafficking crime

The application is based on these facts:

I, Brittany Brenner, being first duly sworn, hereby depose and state as follows:

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

Brittany Brenner / ATF TFO

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
telephone _____ (specify reliable electronic means).

Date: MAY 15, 2024City and state: Harrisburg, PA

Judge's signature

Daryl F. Bloom, U.S. Magistrate Judge

Printed name and title

FILED
HARRISBURG, PA

MAY 15 2024

PER [Signature]
DEPUTY CLERK

**CONTINUATION PAGES OF AFFIDAVIT IN SUPPORT
OF SEARCH WARRANT**

INTRODUCTION AND AGENT BACKGROUND

1. I am a Pennsylvania State Trooper and have been since November 2007. I am currently assigned as a full-time Task Force Officer with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and have been since January 2021. I am a graduate of Kutztown University in Kutztown, PA with a Bachelor of Science degree in Criminal Justice. I also attended Carlow University in Pittsburgh, PA and obtained a Graduate Certificate in Cyber Threat Analytics. I am currently assigned to the ATF Philadelphia Field Division, Harrisburg Field Office, which is comprised of ATF Special Agents whose primary responsibilities include investigating individuals or groups who have committed violations of the federal firearms and narcotics laws.

2. After graduating from the Pennsylvania State Police (PSP) Academy, I was assigned to the patrol unit at Troop J, Embreeville, in Chester County. In 2010, I transferred to patrol at Troop J, Ephrata in Lancaster County. From 2011 to 2012, I was assigned to the Criminal Investigation unit at Troop J, Embreeville, in Chester County. In 2012, I transferred to the Criminal Investigation unit at Troop J, Lancaster in

Lancaster County. In June of 2014, I transferred to the Bureau of Criminal Investigation (BCI), Organized Crime Unit Eastern Task Force. Within BCI, my responsibilities included conducting investigations of corrupt organizations relating to illegal narcotics, public corruption, gambling, and organized crime activities throughout the Commonwealth of Pennsylvania; in particular, central Pennsylvania. In my capacity as a Pennsylvania State Trooper, I have investigated numerous violations of the Pennsylvania Crimes Code. These crimes include homicide, robbery, burglary, tampering with evidence, theft, narcotic violations, forgery, sexual assaults, child abuse and corrupt organizations. I have prepared and sworn to or filed numerous criminal complaints for violations of the Pennsylvania Crimes Code. I have also sworn to and executed search warrants in Pennsylvania. In addition, I have obtained telephone and financial records for various criminal investigations. In these investigations, I have utilized numerous investigative techniques including, but not limited to, interviewing victims, witnesses and suspects/defendants; execution of search warrants; use of informants; undercover operations; physical surveillance; analyzing information obtained from court-ordered pen registers and trap and trace intercepts,

and analyzing telephone toll information; grand jury proceedings; and the use of consensual interceptions of communications within the parameters of the Pennsylvania Wiretapping and Electronic Surveillance Control Act. I am an “investigative or law enforcement officer” within the meaning of Section 5702 of the Pennsylvania Wiretapping and Electronic Surveillance Control Act, and in such capacity, I have successfully completed a course which is required for Class “A” certification pursuant to 18 Pa.C.S. § 5724. My Class “A” certification number is A-4660.

3. I make this affidavit in support of applications under Rule 41 of the Federal Rules of Criminal Procedure for search and seizure warrant for the person of Michael Brett GOLDEN (DOB: 3/04/1989) (the SUBJECT), as described in Attachment A, to obtain oral secretion (epithelial cells) by rubbing cotton swabs against the inner cheek lining of the SUBJECT's mouth cavity, in sufficient quantity for scientific examination and comparison for DNA typing and DNA comparison, as described in Attachment B. Currently, GOLDEN is an inmate at the Franklin County Prison in Chambersburg, Pennsylvania in Franklin County, Pennsylvania.

4. Based on the facts set forth in this affidavit, there is probable cause to believe that violations of Title 21, United States Code, Section 841, Possession of a Controlled Substance with the Intent to Deliver, Title 18, United States Code, Section 922(g), Possession of a Firearm by a Prohibited Person, and Title 18, United States Code Section 922(j) Possession of a Stolen Firearm, and Title 18, United States Code, Section 924(c) Possession of a Firearm in Furtherance of a Drug Trafficking Crime have been committed by **Michael Bret GOLDEN**, last residing at 38 Hillside Estates, McConnellsburg, PA. There is also probable cause to believe the SUBJECT's DNA, obtained from buccal swabs, will reveal evidence of GOLDEN's possession of firearms.

JURISDICTION

5. "At the request of a federal law enforcement officer or an attorney for the government . . . a magistrate judge with authority in the district . . . has authority to issue a warrant to search for and seize a person or property located within the district." Fed. R. Crim. P. 41(b)(1).

INVESTIGATION BACKGROUND

6. On January 27, 2024, Trooper Joshua Hoffee of Pennsylvania State Police Troop H, Chambersburg Patrol Unit, was in full uniform and

operating a marked patrol unit on State Route 16 in the village of Zullinger near Skyhawk Drive, Washington Twp, Franklin County, Middle District of PA. He observed a gray Honda Civic, PA registration MHX0962 driving 41 MPH in a properly posted 35 MPH zone. Trooper Hoffee performed an NCIC query of the vehicle's registration which revealed the registered owner was the subject of a Franklin County Bench Warrant as well as an arrest warrant out of Washington County Maryland. An NCIC query of the wanted person was conducted and the individual was identified as Michael Bret GOLDEN. A PennDOT photograph was also obtained. Trooper Hoffee initiated a traffic stop on SR 16 near Waynecastle Road.

7. Trooper Hoffee observed the driver making furtive movements inside the driver compartment of the vehicle. Trooper Hoffee approached the driver side of the vehicle and made contact with the operator. Trooper Hoffee positively identified the operator as Michael Bret GOLDEN.

8. GOLDEN was ordered to exit the vehicle and informed that he had a warrant for his arrest. GOLDEN was removed from the vehicle due his initial hesitation to comply. Trooper Hoffee observed a glass

smoking device in the lower door storage compartment in plain view and within the wingspan of GOLDEN.

9. GOLDEN was taken into custody and a search incident to arrest was conducted. GOLDEN was in possession of large orange tinted glassine style bag containing suspected Adderall pills concealed on his person within a hooded sweatshirt pocket. GOLDEN admitted to not having a prescription for the pills and identified them as Adderall.

10. GOLDEN told Trooper Hoffee that he was coming from a "storage unit" prior to the traffic stop. GOLDEN continued to display a high level of nervousness and was evasive when asked questions about whether any further items related to narcotics and firearms were present within the vehicle. Trooper Hoffee observed GOLDEN's inability to not stop moving throughout the interaction. GOLDEN attempted to change the subject multiple times, answered questions incorrectly, and displayed dry mouth. GOLDEN further made unsolicited statements such as "I'm never going home" indicating a consciousness of guilt. Prior to placing GOLDEN in the patrol vehicle, GOLDEN advised Trooper Hoffee that he was in possession of "Tina" in his right front watch pocket. Trooper Hoffee

knows that "Tina" is a slang term used to identify crystal methamphetamine, based on his training and experience.

11. The gray Honda Civic was towed from the scene to Troop H, PSP Chambersburg, pending a search warrant.

12. Trooper(s) obtained and executed a search warrant on the gray Honda Civic and located several items, including a Taurus PT845 .45 ACP pistol serial number NHM78875 and a Taurus G2S 9mm pistol serial number ABG668076 (stolen), were located in two locked soft Allen brand pistol cases concealed within a large duffle bag full of men's clothing and toiletry items. The duffle bag was on the rear passenger seat directly behind where GOLDEN was seated within the vehicle. The duffle bag also contained multiple cell phones and the false "Yeti" brand can that concealed multiple 32 gb SD cards, a Micro SD card reader, and a USB Flash Drive. The bulk suspected methamphetamine was located in a black carry bag that was in the middle of the rear passenger seat directly next to the duffle bag. A "ledger" containing names and phone numbers and a small digital scale were also seized from the small black carry bag. Also, a locked false dictionary safe containing suspected bulk methamphetamine, bulk glassine bag packaging material, a clear

glassine bag with the pill capsule containing a white powdery unknown substance, and a SIM card for a cellular device were found in the small black carry bag. In a tan carry bag in the trunk was a fully loaded Hi-Point CF380 .380 pistol serial number P8073925.

13. All Items were entered into evidence at Troop H, PSP Chambersburg.



14. GOLDEN's criminal history includes the following convictions:

- a. On April 12, 2022, GOLDEN pleaded guilty to Terroristic Threats with Intent to Terrorize Another, in violation of 18 Pa. Stat. § 2706(a)(1) and was sentenced to 6 months to 23 months imprisonment. *See*, CP-28-CR-000066-2021;
- b. On April 14, 2022, GOLDEN pleaded guilty to manufacture, delivery, or possession with intent to manufacture or deliver, a controlled substance, in violation of 35 Pa. Stat. § 780-113(a)(30) and was sentenced to 6 months to 23 months imprisonment. *See*, CP-28-CR-0000445-2022;

15. Based on my training and experience, I know that when a person handles a weapon, he or she may leave behind traces of DNA where he or she touched. This DNA can be recovered and examined by experts at a forensic laboratory, and a DNA profile may be obtained.

16. Based on my training and experience, I am aware that a forensics laboratory can conduct a comparison of a sample to any recovered DNA if it obtains buccal cavity swabs, that is, in this case,

swabs from inside the cheek area, of GOLDEN. The DNA profile obtained through such swabs can be compared with any DNA profile derived from the above-described Taurus PT845 .45 ACP pistol, (stolen) Taurus G2S 9mm pistol, and Hi-Point CF380 .380 pistol recovered by Trooper Hoffee during the traffic stop with GOLDEN.

17. Based on the above facts, I believe there is probable cause to believe that GOLDEN has violated Title 21, United States Code, Section 841, Possession of a Controlled Substance with the Intent to Deliver; Title 18, United States Code, Section 922(g), Possession of a Firearm by a Prohibited Person; Title 18, United States Code, Section 922(j) Possession of a Stolen Firearm; and Title 18, United States Code, Section 924(c) Possession of a Firearm in Furtherance of a Drug Trafficking Crime. Comparing GOLDEN's DNA profile to any DNA profile obtained from the Taurus PT845 .45 ACP pistol, (stolen) Taurus G2S 9mm pistol, and Hi-Point CF380 .380 pistol, would provide evidence related to the possession of firearms and drug trafficking from the traffic stop conducted by Trooper Hoffee on 01/27/2024.

18. Thus, there is probable cause to search the person of GOLDEN to seize, for further testing and analysis by laboratory personnel, the following:

- a. ORAL SECRETION (EPITHELIAL CELLS) obtained by rubbing cotton swabs against the cheek lining of the mouth, in sufficient quantity for scientific examination and comparison for Deoxyribonucleic Acid (DNA) typing and DNA comparison.

19. ATF seeks the DNA of Michael Brett GOLDEN so that it can obtain a laboratory comparison to any DNA obtained from the Taurus PT845 .45 ACP pistol, (stolen) Taurus G2S 9mm pistol, and Hi-Point CF380 .380 pistol, as discussed above.

ATTACHMENT A

ITEM TO BE SEARCHED

Michael Brett GOLDEN, a male with a date of birth of March 04, 1989, FBI Number of 236364LD3, and current Franklin County Prison Inmate.

ATTACHMENT B

Particular Things to be Seized

Oral secretion (epithelial cells) by rubbing cotton swabs against the inner cheek lining of the mouth cavities of the SUBJECT described in Attachment A, in sufficient quantity for scientific examination and comparison for DNA typing and DNA comparison.